FAQ: Are copies of books available from Internet Archive legal to use?

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Yes. The Internet Archive Open Library is a collection of legally obtained print books that have been digitized.

However, a recent lawsuit has been filed against Internet Archive so it may help to understand their borrowing service model and the issues being raised against them.

On June 1, 2020 the **Author's Guild filed a copyright infringement lawsuit against Internet Archive**. The lawsuit was provoked by **Internet Archive's National Emergency Library** which was launched in March 2020 to address the needs of students and educators as they shifted to remote teaching and learning due to the COVID-19 pandemic. This emergency program suspended wait lists allowing anyone in the world unlimited simultaneous access to their digitized texts. (**See Internet Archive's response to the lawsuit**)

On June 16, 2020, Internet Archive closed its National Emergency Library and reverted back to what is referred to as a "**controlled digital lending**" model for its **Open Library collection**. This model, which has been in effect for over a decade, allows libraries to treat a digitized print book like an actual print book borrowed from a library rather than a born-digital eBook that multiple people can access simultaneously. Under controlled digital lending, Internet Archive materials can only be viewed by one person at a time, like a print book would be. Others will have to wait to gain access until the loan period ends or the item is returned.

When Internet Archive closed their emergency library in mid-June 2020, they shortened the loan period to 1 hour (down from 14 days) to allow as many people as possible to have access to their digitized books while still adhering to the controlled digital lending model. If there are two or more digital copies of a book, there will be an option to borrow the book for **14 days or 1 hour**. If no one else is waiting after the loan period ends, the e-book can be checked out again by the same person.

The Internet Archive also allows anyone to upload texts they have rights over. These are called **Community Texts**. Contributors to this community collection are asked to only share files that they have the rights to share and this content has no loan periods or usage restrictions like the Open Library texts. **Internet Archive's Terms of Use** explains that if they are made aware of content being shared on their platform in violation of copyright that they will take it down. They will also terminate the accounts of repeat offenders. This is similar to how other file sharing sites work (e.g., YouTube).

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